

AMENDED IN ASSEMBLY JUNE 26, 2013

AMENDED IN ASSEMBLY JUNE 19, 2013

AMENDED IN SENATE MAY 8, 2013

AMENDED IN SENATE APRIL 11, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 236

Introduced by Senator Pavley

(Principal coauthor: Assembly Member Gorell)

February 12, 2013

An act to amend Section 37710 of, and to add and repeal Section 37712 of, the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 236, as amended, Pavley. School districts: four-day school week: Moorpark Unified School District.

Existing law authorizes certain school districts to operate one or more schools on a 4-day school week if the school district complies with specified instructional time requirements and other requirements related to the 4-day school week.

This bill would, beginning in the 2013–14 fiscal year, authorize the Moorpark Unified School District to operate one or more high schools offering a middle college program on a 4-day school week if it complies with the specified instructional time requirements and other requirements related to the 4-day school week. The bill would require the authority of a school in the Moorpark Unified School District to operate on a 4-day school week to be permanently revoked if the school fails to

achieve its Academic Performance Index growth target. The bill would authorize the Moorpark Unified School District operating a school on a 4-day school week, as described above, to claim a day of attendance pursuant to a provision related to attendance in early college high schools and middle college high schools, and specified provisions related to the operation of middle college high schools. *The bill would update funding calculations to reflect changes to be made by the implementation of the local control funding formula.* The bill would make these provisions inoperative on June 30, 2018, and would repeal these provisions as of January 1, 2019.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Moorpark Unified School District.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 37710 of the Education Code is amended
- 2 to read:
- 3 37710. If a school operating on a four-day school week
- 4 pursuant to Section 37710.3, 37710.5, 37711, or 37712 fails to
- 5 achieve its Academic Performance Index growth target pursuant
- 6 to Section 52052, the authority of that school to operate on a
- 7 four-day school week shall be permanently revoked commencing
- 8 with the beginning of the following school year.
- 9 SEC. 2. Section 37712 is added to the Education Code, to read:
- 10 37712. (a) Beginning in the 2013–14 fiscal year, the Moorpark
- 11 Unified School District may operate one or more high schools
- 12 offering a middle college program in the school district on a
- 13 four-day school week, if the school district complies with the
- 14 instructional time requirements specified in Section 37701 and the
- 15 other requirements of this chapter. The state board may waive the
- 16 five-consecutive-day operating requirements for a middle college
- 17 program that operates on a four-day school week pursuant to this
- 18 section, provided that the school district meets the minimum time
- 19 requirement for the middle college program.
- 20 (b) If the school district operates one or more schools on a
- 21 four-day school week pursuant to this section, and the program

1 for the school year provides fewer than the 180 days of instruction
 2 required under Section 46200, *as it read on January 1, 2013*, the
 3 Superintendent shall reduce the ~~base revenue limit~~ *local control*
 4 *funding formula allocation pursuant to Section 42238.02, as*
 5 *implemented pursuant to Section 42238.03*, per unit of average
 6 daily attendance for that fiscal year by the amount the school
 7 district would have received for the increase received pursuant to
 8 subdivision (a) of Section 46200, *as it read on January 1, 2013*,
 9 as adjusted in fiscal years subsequent to the 1984–85 fiscal year.
 10 If the school district operates one or more schools on a four-day
 11 school week pursuant to this section, and the program provides
 12 fewer than the minimum instructional minutes required under
 13 Section 46201, *as it read on January 1, 2013*, the Superintendent
 14 shall reduce the ~~base revenue limit~~ *local control funding formula*
 15 *allocation pursuant to Section 42238.02, as implemented pursuant*
 16 *to Section 42238.03*, per unit of average daily attendance for that
 17 fiscal year in which the reduction occurs by the amount the school
 18 district would have received for the increase in the base revenue
 19 limit per unit of average daily attendance pursuant to subdivision
 20 (a) of Section 46201, *as it read on January 1, 2013*, as adjusted
 21 ~~in from the 1987–88 fiscal year and subsequent fiscal years to the~~
 22 *2012–13 fiscal year, inclusive, and, commencing with the 2013–14*
 23 *fiscal year, pursuant to the local control funding formula allocation*
 24 *pursuant to Section 42238.02, as implemented pursuant to Section*
 25 *42238.03, per unit of average daily attendance.*

26 (c) Notwithstanding Section 37710, if a small school having
 27 between 11 and 99 valid Standardized Testing and Reporting
 28 Program test scores operating on a four-day school week fails to
 29 achieve its Academic Performance Index growth target pursuant
 30 to Section 52052 for two consecutive years, the authority of that
 31 school to operate on a four-day school week shall be permanently
 32 revoked commencing with the school year following the second
 33 consecutive year the school failed to achieve its Academic
 34 Performance Index growth rate.

35 (d) If the school district operates one or more schools on a
 36 four-day school week pursuant to this section, the school district
 37 shall submit a report to the department, the Senate Committee on
 38 Education, and the Assembly Committee on Education on or before
 39 January 15, 2018. The report shall include, but not necessarily be
 40 limited to, information on all of the following:

1 (1) Programs the school district offered on the fifth schoolday
2 and their participation rates.

3 (2) If the four-day school week schedule resulted in fiscal
4 savings.

5 (3) Impact on overall attendance of the schools operating a
6 four-day school week.

7 (4) Programs for which the state board waived minimum time
8 and five-consecutive-day requirements and the operational and
9 educational effects of the programs if they operated at less time
10 than required.

11 (5) The impact of the four-day school week on crime statistics,
12 especially on the day on which school would otherwise be in
13 session.

14 (6) Information on the Academic Performance Index, pursuant
15 to Section 52052, for every year a school in the school district
16 operated on a four-day school week. The information shall include,
17 but not necessarily be limited to, the base and growth Academic
18 Performance Index of each school that operated on a four-day
19 school week and whether that school met the Academic
20 Performance Index growth targets.

21 (7) Specific outcomes for pupils attending a school operating
22 on a four-day school week including, but not limited to, attendance
23 rates, graduation rates, college entrance and attendance rates, and
24 employment rates of pupils who do not attend college.

25 (e) The Moorpark Unified School District operating one or more
26 schools on a four-day school week pursuant to this section may
27 claim a day of attendance for the pupils enrolled in a school
28 operating on a four-day school week pursuant to Sections 11300,
29 11301, and 46146.5.

30 (f) *Notwithstanding this section, upon a determination that the*
31 *school district identified in subdivision (a) equals or exceeds its*
32 *local control funding formula target computed pursuant to Section*
33 *42238.02, as determined by the calculation of a zero difference*
34 *pursuant to paragraph (1) of subdivision (b) of Section 42238.03,*
35 *the school district, as a condition of apportionment pursuant to*
36 *Section 42238.02, as implemented pursuant to Section 42238.03,*
37 *shall offer 180 days or more of instruction per year, and shall meet*
38 *the minimum minute requirements pursuant to paragraph (4) of*
39 *subdivision (a) of Section 46207.*

40 (f)

1 (g) This section shall become inoperative on June 30, 2018,
2 and, as of January 1, 2019, is repealed, unless a later enacted
3 statute, that becomes operative on or before January 1, 2019,
4 deletes or extends the dates on which it becomes inoperative and
5 is repealed.

6 SEC. 3. The Legislature finds and declares that a special law
7 is necessary and that a general law cannot be made applicable
8 within the meaning of Section 16 of Article IV of the California
9 Constitution because of the unique circumstances facing many of
10 the pupils enrolled in the Moorpark Unified School District.

11 SEC. 4. This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety within
13 the meaning of Article IV of the Constitution and shall go into
14 immediate effect. The facts constituting the necessity are:

15 In order for the Moorpark Unified School District to use the
16 four-day school week authorization provided by this act in the
17 2013–14 school year, it is necessary that this act take effect
18 immediately.